

**LYNDEBOROUGH BOARD OF SELECTMEN  
MEETING MINUTES  
June 12, 2013**

**Members Present:** Chairman Kevin Boette, Arnie Byam & Fred Douglas

**Staff Present:** Interim TA Burton Reynolds, Admin Asst. Cindi Hasty, RA Kent Perry, OIC Rance Deware

**Public Present:** State Senator Andy Sanborn, Mark Schultz, Lee Mayhew, Bob Rogers,

**Media Present:** Jessie Salisbury and Dave Anderson

**Recorder:** Pauline Ball

**Approval of Minutes, Manifests, and Items For Signature:**

The Board addressed all items that needed their signature.

**Appointments:**

**6:30 p.m. – Highway Department Update**

**RA Perry** informed the Board that the work on Center Road has begun with edging and tree cutting. He uncovered an old windmill mount and pump from a buried well which contributes to some of the water problems; he will install a catch basin in that area to deal with the water. He also uncovered some gigantic flat rocks further down the road that he hopes will not give him a problem. **Chairman Boette** asked if he had any conversations with property owners in the work area. **RA Perry** replied that he has spoken to one owner across the street from the cemetery. He also contacted Chris Bragdon, the owner of the land across from the pink federal, about a culvert easement and Mr. Bragdon denied the request. **Chairman Boette** noted that there was an accumulation of dirt and gravel from recent rain incidents on Mountain Road near Badger Pond that should be scraped off. Several potholes have opened up on Center Road between the area being addressed and Brackett's Cross Road that should be looked at.

• **Highway Dept. – Guard Rail Discussion**

**Chairman Boette** mentioned installing guard rails on Putnam Hill Road and asked the road agent to put together a priority list of town roads that need guard rails. This would allow the Board to discuss a comprehensive plan for funding with the Budget Committee for several installations each year, if they know where and how important these guards are needed.

• **Motor Vehicle Accident – 2/27/13 Claim Settlement**

**Burton Reynolds**, referring to the February 27, 2013 Highway Dept. motor vehicle accident, said that the LGC has recommended that both parties settle the claim 50/50. He asked if the Board had an issue with that recommendation. The Board said that they were agreeable.

**VOTE: Chairman Boette made a motion to accept the recommendation of LGC, as it stands. Selectmen Douglas** seconded the motion and the VOTE in favor of the recommendation was unanimous.

**Selectman Douglas**, referring to the highway dept. vehicle accident, said that he understood that vehicles cannot remain in the location because of the snow situation but law enforcement should be responding to investigate the incident. **RA Perry** said that sometimes because of the hour and the amount of snow accumulation, there isn't any police available. **Selectman Douglas** responded that municipal aid could respond in a reasonable time, if local police were unavailable; that it was important to document the incident for the protection of the town as well as the drivers. **Chairman Boette** suggested that photographs could be taken, as well.

- **G & K Uniform Contract Issue**

**Burton Reynolds** asked the Board if they would affirm his request to discuss the issue of the G & K Uniform contract with town counsel. He stated that the contract was for 60 months and it is his understanding that a municipality can only go with a contract on a yearly basis. **Cindi Hasty** explained that the town administrator entered into a second contract believing that the first one could be terminated because of this regulation.

**Mr. Reynolds** continued that he would like to discuss with Atty. Drescher who has more experience with type of issue, whether or not this contract can be enforced.

**VOTE: Selectman Douglas made a motion to let Burton Reynolds talk to town counsel about the G & K Uniform contract issue. Chairman Boette** seconded the motion and the VOTE in favor of the motion was unanimous.

**7:00 p.m. – State Senator Andy Sanborn**

**Senator Sanborn** gave an overview of the budget issues on the State level. He said that the Senate is proposing a budget of \$10.7 billion, about \$600 million higher than last year's budget but lower than the proposals from the governor and the House. There will be no new taxes or fees and will live within their means with revenue coming from a projected 2% growth each year.

**Senator Sanborn** briefly discussed some of the following budget items:

- .....increase funding for UNH
- ..... create scholarships for needy families through a small percentage of funding from management fees of parental savings accounts
- ..... bring back the program to fund community colleges and charter schools.
- .....bring back fully funded State Aid Grant, LCHIP for land conservation and MQUIP to help dedicated county and private nursing homes.
- .....incentives for job creation
- .....more information on Medicaid expansion before making a decision
- .....gas tax increases and gambling; prohibition on tip tax for wait persons

At this time, **Senator Sanborn** asked for comments from the Board and audience. **Selectman Douglas** asked about the status of the Milford District Court. **Senator Sanborn** thought that the court will stay in Milford but there's an issue concerning land acquisition. **Selectman Boette** mentioned that the block grant is smaller each year and that income from vehicle registration is going down; concerns such as these have an impact on the town budget and property taxes, although services must continue. After listening to several other comments, the Board thanked **Senator Sanborn**.

**7:15 p.m - Police Department Update**

**Lt. Rance Deware** said that the phone issue has been resolved. They canceled one phone line instead of two because one line is dedicated to the alarm system. This change will be a savings of \$35 per month instead of the projected \$69 per month amount.

Eleven applications have been received for the open full time position: 4 certified (one in-state and three out of state); 2 NH certified part time; and 5 non certified applicants, i.e. certified correction officers.

**Lt. Deware** said the police vehicle tires are scheduled to be replaced after being in use for one full year. He also mentioned that Officer Zack Byam has been working the Speed grant detail. They have completed six details with 24 remaining.

**Selectman Douglas** asked **Lt. Deware** where arrests on criminal charges are supposed to be booked. **Lt. Deware** replied that they are booked in Wilton. **Selectman Douglas** voiced concern that an arrest on criminal charges was made at the Lyndeborough Police Dept. and asked that the OIC reinforce the correct procedure with his officers. He said that no one should be booked in Lyndeborough because of the security risk to those working in the building.

- **School Tax Bill**

**Chairman Boette** asked about the payment for the School tax bill. **Mr. Reynolds** replied that he discussed the issue with Lisa Ambrosi and was told to wait and pay the invoice in one payment rather than sending in a partial payment.

**Community Open Forum:**

Paul Turner, a resident on Purgatory Falls Road, explained that several winters ago a portion of his stone wall had been pushed down by the snowplow. It was rebuilt by the highway department but with a different material than the original stone and it has not held up. He has discussed this issue with the road agent and was told that he had to meet with the Board of Selectmen. Mr. Turner submitted photographs of the damage caused by the snowplows when clearing snow out of Gutterson Lane and pushing it against his wall resulting in the stones falling inward. The Board agreed that they should visit the site and

examine the wall. **Chairman Boette** said that the Board would discuss a solution to this problem with the road agent before the next meeting.

Lee Mayhew asked for an update on any pending lawsuits, the amount of expenses incurred, and the timeframe for court appearances or settlements. **Chairman Boette** replied that the expenses in the Burke/Roy case are covered by LGC. **Mr. Reynolds** answered that the School Apportionment case is still in the Discovery phase. **Chairman Boette** said that the timeframe for both cases will be sometime in September or October and that nothing else is pending. The Open Forum was closed at 7:57 p.m.

### **Old Business:**

- **Department of Labor Update**

**Mr. Reynolds** met with the Department of Labor on Monday, May 10<sup>th</sup> to discuss the minor violations incurred during the DOL audit. He presented **TA Thorndike's** revisions to the committee which was accepted and the \$200 fine for two violations was paid.

- **Safe Routes to School Update**

Lee Mayhew explained that the Safe Routes to School grant application for \$5000 has been approved but the second application was returned because of some technical questions. The first grant application was a conceptual travel plan for the sidewalk. The committee and NRPC have answered the questions on the second application and it will be resubmitted; this application addresses the proposed school activity plans and the safety of the school children, i.e. bike rodeos, walking, etc. Mr. Mayhew also suggested working with the Budget Committee to develop a capital reserve fund for the portion of the sidewalk that may not be covered by the grant. **Chairman Boette** asked that Mr. Mayhew present some cost for this project for the Board's review.

- **Citizen's Complaint Form Revision**

**Ms. Hasty and Mr. Reynolds** made changes to the Citizen's Complaint form that was discussed at an earlier meeting and asked the Board to review them for any additional changes. After a brief discussion, **Selectman Douglas** said that he would like to work on an addendum to clarify that when a complaint is against an employee, that employee has the right to be present and to ask for a public or private meeting. He will work on the language, make a change to the form and review it with the Board at the next meeting.

### **New Business:**

- **Land Issue- M/L 235-012-000**

**Ms. Hasty** explained that a land issue concerning a .26 acre piece of property, once deeded to the town in the 1950s so that the road could be straighten, had been part of a larger parcel. In her research it appeared that the paper trail indicated that the land was deeded back to the land owner. The small portion of land was taken out of Current Use because it no longer qualified and the land owners (Welch) have been paying full

property value. This year, thinking that the problem had been corrected, the assessor was prepared to add the .26 acre to the large lot with Current Use status, when the land owner's attorney sent a letter that stated that the property owner does not want the piece and asking for the return of taxes paid.

**Ms. Hasty** asked if the attorney's letter should be sent to town counsel for his review. After some discussion and because of the confusion with this land issue, it was agreed that it should be sent to Atty. Drescher.

**VOTE: Chairman Boette made a motion that the letter received from the Welch's attorney should be reviewed by town counsel Bill Drescher. Selectman Douglas** seconded the motion and the VOTE in favor of the motion was unanimous.

### **Old Business:**

- **Chief of Police Position – Full Time or Part Time**

**Chairman Boette** said that the Board would begin the process to hire a police chief and would first discuss whether the position will be full time or part time and then talk about the hiring process. **Selectman Douglas** said that he was about half way through a draft for the hiring process and the advertisement for the newspaper.

**Chairman Boette** asked the Board their preference (full or part time chief.) **Selectman Douglas** mentioned that there may be legislative changes in the number of hours for a part time position; now it is 32 hours and it may be reduced to 30 hours. He thought there were advantages for both full and part time positions. **Selectman Byam** did not think that a full time chief was needed; too much time on his hands for other issues. **Chairman Boette** said that a full time chief was not necessary; not a lot of supervision was needed.

The Board agreed that, with a full time position, the increase in salary and additional benefits may not be affordable. The salary for a part time position would be closer to the present hourly rate. They discussed such concerns as visibility on the streets, the amount of time needed for administrative duties and leadership capabilities, i.e. more effective to have an experienced officer with good command skills than a retired chief or someone new to the position. They all agreed that the part time position should be for a working chief who divides his time between patrolling and administrative hours, since prosecution services and arrests are done at the Wilton facility.

**VOTE: Selectman Douglas made a motion to make the position part time according to the standards set down by the State up to 32 hours per week and if reduced to 30 hours later, it will be changed. Chairman Boette** seconded the motion and the VOTE in favor of the motion was unanimous.

**Chairman Boette** said that the Board would discuss the hiring process at the next meeting.

### **Adjournment:**

All scheduled items having been addressed, the public meeting was adjourned at 9:00 p.m.

Date: June 12, 2013  
Pauline Ball, Recorder

Kevin J. Boette  
Chairman

Arnie Byam III

Fred Douglas

**APPROVED BY THE BOARD OF SELECTMEN ON JUNE 26, 2013**